

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DANTE H. PATTISON,

Plaintiff,

v.

BRIAN SANDOVAL, *et al.*,

Defendants.

Case No. 3:20-cv-00287-MMD-CSD

ORDER

**I. SUMMARY**

Plaintiff Dante Pattison, currently incarcerated in the custody of the Nevada Department of Corrections (“NDOC”), filed a complaint under 42 U.S.C. § 1983. (ECF No. 7.) Before the Court is a Report and Recommendation of United States Magistrate Judge Craig S. Denney (ECF No. 190 (“R&R”)), recommending that the Court deny Pattison’s motion requesting judicial intervention (ECF No. 187 (“Motion”))<sup>1</sup>. Pattison filed an objection to the R&R (ECF No. 193 (“Objection”)), to which Defendants responded (ECF No. 194). Because the Court agrees with Judge Denney and as further explained below, the Court overrules Pattison’s Objection and adopts the R&R in full. Accordingly, the Court denies Pattison’s Motion.

**II. BACKGROUND**

The Court incorporates by reference Judge Denney’s description of the case’s factual background and procedural history provided in the R&R, which the Court adopts. (ECF No. 190 at 1-2.)

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<sup>1</sup>Judge Denney construed Pattison’s Motion as a request for preliminary injunctive relief, subject to Federal Rule of Civil Procedure 65 and the Prison Litigation Reform Act. (ECF No. 190 at 2-3.) The Court also addresses the Motion as such.

### III. DISCUSSION

Judge Denney recommends Pattison's Motion be denied because Pattison fails to address or satisfy any of the four preliminary injunction prerequisites. *See Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 23 (2008) (listing four prerequisites to obtain a preliminary injunction: (1) likelihood to succeed on the merits; (2) likelihood plaintiff will suffer irreparable harm without preliminary relief; (3) balance of equities tips in plaintiff's favor; and (4) an injunction is in the public interest). Pattison's Objection fails to address Judge Denney's R&R and appears to restate allegations related to Pattison's dental health and treatment while in NDOC's custody. (ECF No. 193 at 1-2.) Moreover, as Judge Denney found, Pattison does not offer any evidence supporting the allegations in his Motion. (ECF No. 190 at 4.)

Because Pattison objects generally to the R&R and repeats his allegations, the Court need not conduct *de novo* review. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) ("[D]e novo review of the magistrate judges' findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations."); *see also, e.g., Eggum v. Holbrook*, 467 F. Supp. 3d 968, 975 (W.D. Wash. 2020), *appeal dismissed in part*, Case Nos. 20-35585 & 20-35616, 2020 WL 5814381 (9th Cir. Aug. 26, 2020), *and rev'd and remanded on other grounds*, Case No. 20-35616, 2021 WL 3082006 (9th Cir. July 21, 2021) ("General objections, or summaries of arguments previously presented, have the same effect as no objection at all since the court's attention is not focused on any specific issues for review.") (citing *United States v. Midgette*, 478 F.3d 616, 622 (4th Cir. 2007)). Accordingly, the Court finds Judge Denney did not clearly err and therefore agrees that Pattison's Motion should be denied. The Court thus overrules Pattison's Objection and adopts the R&R in full.

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1 **IV. CONCLUSION**

2 It is therefore ordered that Plaintiff's objection (ECF No. 193) to the Report and  
3 Recommendation of U.S. Magistrate Judge Craig S. Denney is overruled.

4 It is further ordered that Judge Denney's Report and Recommendation (ECF No.  
5 190) is accepted and adopted in full.

6 It is further ordered that Plaintiff Dante Pattison's motion requesting judicial  
7 intervention (ECF No. 187) is denied.

8 DATED THIS 28<sup>th</sup> Day of November 2022.

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MIRANDA M. DU  
12 CHIEF UNITED STATES DISTRICT JUDGE  
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